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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/725,345	12/01/2003	Stig Bakke	MRKS/0130	1281

7590 03/23/2005

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EXAMINER

COLLINS, GIOVANNA M

ART UNIT	PAPER NUMBER
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3672

DATE MAILED: 03/23/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/725,345

Applicant(s)

BAKKE, STIG

Examiner

Giovanna M. Collins

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 01 December 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-9 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-9 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 20031201, 20040325.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1-4 and 6-9 are rejected under 35 U.S.C. 102(b) as being anticipated by Nazzal et al. 6,155,343.

Nazzal discloses (figs 1) an apparatus for orientating a work tool, the apparatus comprising an anchor (40a,40b), an energy unit (34), a programmable controller (36), an axial displacement part (30) and a rotational part (28), at least one of the axial displacement part and the rotational part being controllable by the programmable controller so that the work tool can be steered along any path within a work area (col. 4, lines 22-26)

Referring to claim 2, Nazzal discloses the axial displacement part (30) comprises a telescopic member (col. 5, lines 2-3).

Referring to claim 3, Nazzal discloses the relative position of the telescopic member is transmittable to the controller by means of a position transmitter (col. 5, lines 23-24).

Referring to claim 4, Nazzal discloses the relative position of the rotational part is transmittable to the controller by means of an angle transmitter (col. 5, lines 23-24).

Referring to claims 6-8, Nazzal discloses a high pressure water cutter operably coupled to the axial displacement part or rotational part (col. 4, lines 19-21).

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Referring to claim 9, Nazzal discloses a method of orientating a work tool in a wellbore, comprising setting an anchor (40a) in the wellbore; and directing the work tool with an axial displacement part (30) and a rotational part (28) operably connected to the anchor, wherein at least one of the axial displacement part and rotational part are controlled by a programmable controller (col. 4, lines 22-26) .

3. Claims 1-2 and 6-9 are rejected under 35 U.S.C. 102(b) as being anticipated by Jennings al. 6,012,526.

Jennings discloses (figs. 13-14) an apparatus for orientating a work tool, the apparatus comprising an anchor (138), an energy unit (120), a programmable controller (152), an axial displacement part and a rotational part (col. 11, lines 50-62), at least one of the axial displacement part and the rotational part being controllable by the programmable controller so that the work tool can be steered along any path within a work area

Referring to claim 2, Jennings discloses the axial displacement part (30) comprises a telescopic member (see fig. 15 and col. 11, lines 50-62).

Referring to claims 6-8, Jennings discloses a high pressure water cutter operably coupled to the axial displacement part or rotational part (col. 11, lines 35-37).

Referring to claim 9, Jennings discloses a method of orientating a work tool in a wellbore, comprising setting an anchor (138) in the wellbore; and directing the work tool with an axial displacement part and a rotational part (col. 11, lines 50-62) operably connected to the anchor, wherein at least one of the axial displacement part and rotational part are controlled by a programmable controller (152) .

4. Claims 1-2 and 5 are rejected under 35 U.S.C. 102(b) as being anticipated by MacDougall al. 5,692,565.

MacDougall discloses (fig 1)) an apparatus for orientating a work tool, the apparatus comprising an anchor (15), an energy unit (to run the motors), a programmable controller (col. 4, lines 36-40), an axial displacement part (at 16) and a rotational part (18), at least one of the axial displacement part and the rotational part being controllable by the programmable controller so that the work tool can be steered along any path within a work area.

Referring to claim 2, MacDougall discloses the axial displacement part (16) comprises a telescopic member (see fig. 15 and col. 11, lines 50-62).

Referring to claim 5, MacDougall discloses a second anchor (15) and the axial displacement part (at 16) being locating between the first anchor and the second anchor.

Conclusion

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. U.S. Patent to 5,381,631 to Raghavan et al. discloses a apparatus with a cutting tool having a axial displacement and rotational part.


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Giovanna M. Collins whose telephone number is 703-306-5707. The examiner can normally be reached on 6:30-3 M-F.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David J. Bagnell can be reached on 703-308-2151. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


gmc


David Bagnell
Supervisory Patent Examiner
Technology Center 3670